against the Government, knowing very well that they are going to make unintended profit if it gets a stay from the High Court. I would like to ask the Minister (a) Why was the company not forced to adhere to earlier parameters? Was any notice issued to them? (b) How did they manage to get a stay from the High Court? Is it because of a technical fault committed deliberately by the Ministry? (c) What action has been taken by the Ministry against them? Have they been refused fresh licences or have they been treated perfectly like an ordinary company which has not done any wrong and they are given fresh licences and they want to do anything that they like? I would like to ask the Minister these things.

SHRI R. K. JAICHANDRA SINGH: Sir, firstly the statement given by the hon. Member is slightly wrong because the ratio of perimeter allowed to this company is 1:10. They are very much within the ratio perimeter. The present ratio perimeter now being maintained at 1:3.1. Secondly with regard to the matter about prices. I said nothing can be done as the matter is now in the Supreme Court and it is a part-heard case and definitely it will be taken up as early as possible.

SHRI VISHVAJIT PRITHVIJIT SINGH: I want to know why and what action has been taken. Have you refused them the licences? (*Interruptions*)

MR. CHAIRMAN: Please sit down, I will put the question for you. The hon. Member wants to know whether you are taking any penal action against the company for its contraventions?

SHRI R. K. JAICHANDRA SINGH: Sir, the penal provision is not just there. That is the whole thing.

MR. CHAIRMAN: Next question.

Chief Controller of explosives

*303. MISS SAROJ KHAPARDE: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that Bombay-based Chief Controller of Explosives' office do not have adequate staff to handle the work which has increased following the growth of the chemical industries in the city;

(b) whether it is a fact that the office is not having an enforcement wing which could undertake supervision, inspections and other measures for the enforcement of rules and regulations;

(c) whether the Maharshtra Government have brought the matter to the notice of the Central Government; and

(d) if so, what action is being taken by the Central Government to strengthen that office?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM): (a) to (d) A statement is laid on the Table of the House.

Statement

(a) Responsibilities of the Explosives Department are defined in the Acts/Rules administered by it, viz., Explosives Act and Rules, Gas Cylinder Rules, Static and Mobile Pressure Vessel Rules, Petroleum Act, Petroleum Rules, Carbide of Calcium Rules, Cinemotographic Rules and Inflammable Substances Act. As far as chemical industries are concerned, the Department of Explosives is responsible for licensing and inspection of the manufacture of explosives and acetylene gas and storage and transportation of explosives, petroleum and compressed gases (other than process vessels). It is also responsible for regulation of the manufacture of unfired pressure vessels and cylinder valves.

Existing staff strength of the West Circle Bombay which was sanctioned in 1981, has not increased in proportion to increase in the licensed premises of the Department. However, by optimal deployment of existing resources and thereby concentrating attention on more hazardous premises and operations, it should be possible for the Department to ensure reasonable Safety to human life and environment.

(b) Functions of the Explosives Department are essentially regulatory and are carried out through the mechanism of licensing, inspection and monitoring of the performance of conditions of licenses issued by it. It does not have an independent enforcement machinery of its own and the penal provisions of the Acts and Rules administered by the Department are enforced by the district magistrates and Police authorities and, through them, also by the Department. Violation/infringement of the conditions of licence also entail suspension/cancellation of such licences.

(c) Yes, Sir.

(d) Government is considering, in the first instance, the possibility of reducing the physical work load of the Explosives Department by involving technical inspecting agencies established under various other Acts (like Factories Act, Boilers Act etc.) in the inspection of premises licensed by the Department. It is also examining, in consultation with the State Governments, the feasibility of delegating some of the licensing and inspection work of the Department to the district authorities.

The Explosives Department and the State Government of Maharashtra are jointly surveying the chemical and other industries to identify unlicensed premises with a view to bring them under the regulatory control of the Department. Other State Governments have also been advised to take similar action.

MISS SAROJ KHAPARDE: Sir, I would like to ask the hon. Member whether the Central Government are aware of a half a dozen serious cases of leakage of chlorine and other gases in and around Bombay alone in December 1985. As per fresh reports now the Maharashtra Government have set up a board to look into the problem of pollution. If that is so, what effective preventive steps are being taken by the Central Government in this regard?

SHRI NARAYAN DUTT TIWARI: Sir, the Government are aware of a number of cases in Maharashtra, to which the hon. Member has referred. We are aware of about five cases of gas leakage and the Maharashtra Chief Minister has written to us and I had also written to them. In October I had convened a meeting of all the State Governments in this matter and on the 9th December, 1985, our department wrote to all the State Governments seeking their co-operation in the implementation of the Explosives Act and the Rules. Now, Sir, the problem is that new hazardous substances have been identified and classified into various categories, for example, not only the explosives, with which the explosives department is concerned, or the petroleum products, which the explosives department is concerned, there are other hazardous substances also, for example, inflammable, corrosive, poisonous, radioactive, oxidizing agents, corcinogens, mitagens, terotogens and also other factors dangerous to environment.

Now the Government of India has decided to enact a compresive law which has been mentioned by the Environment Minister in his comments in this House on relevant matters. Under this law a Hazardous Substances Control Act is being proposed and under the new legislation an authority is proposed for co-ordinating and enforcement of all pollution control measures but not restricted to air, water, soil pollution and

control of toxic and hazardous substances. This authority will act through the existing agencies utilising the existing legal enactments. Sir, this authority will also have the power to order modification, reallocation and have even powers to even discontinue supplies and services, strict punishment up to five years or fine up to Rs. 1 lakh. And I think after this Bill becomes law the enforcement under this law will lead to a coordinated arrangement for the enforcement of the required law.

MISS SAROJ KHAPARDE: The Central laws deal with storage, processing and transport of chemicals, and even storage of gas cylinders, including cooking gas is governed by Central law. In that context, what steps are the Central Government taking to strengthen and to see that the Chief Controller of Explosives can handle such cases efficiently?

SHRI NARAYAN DUTT TIWARI: Sir, we have set up an expert group under the Chairmanship of Shri S. S. Baijal to go into the administrative procedure and requirements of the Department of Explosives. As the number of registered factories has gone up throughout the country, their requirement of staff also is being looked into by the Finance Department. We expect the report of this expert group under Mr. Baijal shortly and thereafter we shall take up the question of consolidation and further expansion of this department.

श्री अश्विनी कुमार : माननीय सभापति महोदय मैं आपके माध्यम से उद्योग मंत्री से यह जानना चाहूंगा कि चीफ कण्ट्रोलर आफ एक्सप्लोसिव्स जो बम्बई में है क्या वह केवल महाराष्ट्र को देखते हैं या सारे देश के एक्सप्लोसिव्स की चिंता करते हैं ?

इसी प्रकार का एक कार्यालय इनका आगरा में है जो उत्तर प्रदेश इत्यादि को देखता है वह उनके अधीन है या स्वतंत्र है और अनुभव यह है कि उत्तर प्रदेश के अन्दर यह जो एक्सप्लोसिव्स का कारखाना है यह प्राइवेट माईन्स को जिनको एक्सप्लोसिव्स चाहियें उनको देने में विलम्ब कर रहा है। यह उनको अखर रहा है। आज उन माईन्स के लोगों को एक्सप्लोसिव्स के मिलने में अत्यंत कठिनाई हो रही है और उसमें कल को पब्लिक सैक्टर इण्डस्ट्रीज के लिये जो माल चाहिए उसके लिए भी कठिनाई हो रही है।

इस दृष्टि से माननीय मंत्री महोदय सुविधा की दृष्टि से क्या कार्यवाही करेंगे इसका मार्गदर्शन करना चाहिए।

श्री नारायण दत्त तिवारी : श्रीमन्, जो माननीय सदस्य ने आगरा का उल्लेख किया यह कार्यालय अवश्य ही इस विभाग के अंतर्गत है और यह इसका सब-सर्कल कहलाता है। इस विभाग के अन्तर्गत 69 गजेटेड और 279 नान-गजेटेड ऑफीसर कार्य करते हैं। जो सम्माननीय सदस्य ने उल्लेख किया किसी कारखाने की अनुज्ञा करने में देर हो रही है उसकी अगर वह मुझे व्यक्तिगत जानकारी दे सकें, तो मैं उनका अनुगृहीत होऊंगा ताकि मैं उसके बारे में यथासम्भव जानकारी कर सकूं। लेकिन माननीय सदस्य सहमत होंगे कि वर्तमान वातावरण में जबकि इस सम्मानित सदन में भी और चारों ओर इस बात की आकांक्षा भी की गई है कि नये लाइसेंसेज देते समय सावधानी बरतनी चाहिए ताकि किसी प्रकार की विस्फोटक सामग्री से संबंधित उत्खनन या उनका सृजन या उनका भंडारण जो है यह निर्धारित रीति-नीति के आधार पर हो। इसलिए लाइसेंसेज देने में सावधानी अवश्य बरतनी चाहिए और माननीय सदस्य इससे शायद सहमत भी होंगे।

SHRI P. N. SUKUL: The Chief Controller of Explosives has to take both preventive action as well as punitive action. As mentioned in the reply, he has no independent machinery of his own and the rules and

regulations are enforced by the District Magistrate and police authorities. This serves the purpose of taking punitive action. For preventive action it is necessary that he should have enforcement wing of his own; otherwise he cannot undertake surprise checks etc. Will the Government consider this question of creation of enforcement wing with Chief Controller of Explosives?

SHRI NARAYAN DUTT TIWARI: I agree with the hon. Member that on principle, this should be the position. This law has been in force since 1900. At the time this Act was enacted, it was conceived by Parliament that enforcement will be done by the district authorities. Therefore, this scheme did not provide for any direct inspection wing. Now, as I mentioned in my answer to the first question, after the legislation of the new Environment and Hazardous Substances Act, we shall have, I think, a coordinating and enforcement machinery for all hazardous substances, including explosives.

SHRI JAGESH DESAI: Bombay has become the city of hazardous industries. People breathe poisonous gas and Chembur has become the area where if you breathe fresh air, which is not available, it is sure death. Now, I would like to ask a question from the hon. Minister. What was the strength, not sanctioned, but filled in, in 1984 and what is the number of posts sanctioned and filled-in, in the year 1985? I would also like to know, whether the Government will appoint technical inspectors to go round the industries and see that such types of hazardous industries are corrected and people are able to breath fresh air?

SHRI NARAYAN DUTT TIWARI: Sir, it would be difficult to agree with the hon. Member that the Bombay city as a whole has become a city of hazardous substances. Of course, (*Interruptions*)

AN HON. MEMBER: Chembur has become a gas chamber.

SHRI NARAYAN DUTT TIWARI: As far as staff is concerned, there is a circle office in Bombay, with one Deputy Chief Controller, one Controller, one Deputy Controller and 31 other staff. They are doing their best in regard to the inspection of factories. Sir, the number of factories and licensed premises has increased from 847 to 3643. As far as inspection is concerned, in Maharashtra, the number of inspections in 1983-84 was 1,855 and 2,206 in 1984-85. They have tried to do their job.

SHRI JAGESH DESAI: Sir, I have asked about the number of posts filled in, not sanctioned strength.

MR. CHAIRMAN: Dr. Najma Heptulla.

DR. (SHRIMATI) NAJMA HEPTULLA: Sir, I raised my hand not to ask a question, but to complain that Bombay city has become a city full of hazardous industries and Chembur has become a gas chamber.

SHRI N. K. P. SALVE: Sir, the hon. Minister of Industry is an able administrator and he comes very well prepared for his questions. But I am afraid, he has very cleverly tripped over as far as Bombay is concerned. Bombay is a city which is saturated and tripping with pollution. May I, therefore, request him to get this properly examined? Technology and science has provided us with the facility. Will he be so kind enough as to get it examined? Sir, if you go to Bombay, Chembur area, you will see yellow smoke coming out of the chimneys. It looks so dangerous from a distance, I do not know what will be the effect if you go close by. May I, therefore, request him, instead of being complacent about the extent of pollution in Bombay, whether he will really get it examined—he has himself made a statement on the floor of

the House and report to the House how polluted Bombay is?

SHRI NARAYAN DUTT TIWARI: Sir, I would tell the hon. Member that we should not try to denigrate the status of Bombay by saying. . . .

SHRI N. K. P. SALVE: Bombay is a very beautiful city, but. . .

SHRI NARAYAN DUTT TIWARI: Sir, while I agree that there are many areas where hazardous substances have polluted the atmosphere and the environment, the staff are doing their best. I am only saying that we should not generalise things. The hon. Member himself is an eminent citizen of Bombay and he knows what to do in regard to the environment in Bombay.

SHRI N. K. P. SALVE: Sir, this was not my question.

SHRI VISHVAJIT PRITHVIJIT SINGH: Sir, Bombay has become Mumbai.

SHRI N. K. P. SALVE: This was not the answer to my question. Sir, I would beg of you to protect me. My question is, whether he will get the pollution examined, properly examined, and report to the House on the degree of pollution in Bombay?

SHRI NARAYAN DUTT TIWARI: Sir, I will commend it to the Ministry of Environment.

MR. CHAIRMAN: Quite right.

DR. (SHRIMATI) SAROJINI MAHISHI: Sir, the hon. Minister has said that the Act was formulated in 1900. In the context of the atmosphere of terrorism prevailing in the country, as the hon. Minister himself has admitted, will the Government think of amending this Act and bringing it up to date? If so, when?

MR. CHAIRMAN: He has already said that he is going to come up with a fresh legislation. Next question.

Price of Dipyridamol

*304. SHRI NAND KISHORE BHATT:†
DR. JOSEPH LEON D'SOUZA:

Will the Minister of INDUSTRY be pleased to state:

(a) what was the price fixed for formulation based on Dipyridamol for Dynacard and Persantin per tablet of 25 and 100 mgm.;

(b) what was the price being charged for those tablets during 1982, 1983 and 1984;

(c) the names of the other brands being marketed in the country alongwith fixed and selling price of each pack, strength of each brand;

(d) whether it is fact that Dipyridamol is being imported in the country;

(e) if so, the quantity imported by each of M/s. Atlanta, German Remedies and other companies during the last three years, year-wise, alongwith the CIF price per kg. and the source of import;

(f) whether it is a fact that certain companies imported the drug at much higher price than the international prevailing price and not only looted the consumer but engaged in the activity of transfer pricing; and

(g) if so, what action was taken by Government against them?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETRO-CHEMICALS (SHRI R. K. JAICHANDRA SINGH: (a) A statement giving details of prices fixed under the Drugs (Prices Control) Order, 1979 is attached.

†The question was actually asked on the floor of the House by Shri Nand Kishore Bhatt.